

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FRANK WILLIAMS,

Plaintiff,

-against-

INTER-CON SECURITY SYSTEMS, INC.,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # _____
DATE FILED: Oct. 24, 2019

18-cv-10999 (ER)

STIPULATION

The parties have reached an amicable resolution of this matter but, given the extended nature of the payout of settlement funds, respectfully ask this Court to only conditionally dismiss the case at present. Thus, pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Frank Williams and Defendant Inter-Con Security Systems, Inc. (collectively, the "Parties"), by their undersigned counsel of record, hereby stipulate and agree that this action be conditionally discontinued without prejudice and without costs; provided, however, that on or before January 5, 2021, the Parties may submit to the Court their own Stipulation and Order of Dismissal with Prejudice for the Court to So Order. Otherwise, within such time and only should failure to pay necessitate such, Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the Parties' settlement of this action is not consummated. Upon such application, the Parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the Parties shall be directed to appear before the Court, without the necessity of additional process, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar on or before January 5, 2021.

Dated: October 19, 2019

BUTLER & HARRIS

By Katherine L. Butler
Katherine L. Butler
1007 Heights Blvd.
Houston, Texas 77008
(713) 526-5677
kathy@butlerharris.com

Attorneys for Plaintiff

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By Evan B. Citron
Evan B. Citron
599 Lexington Avenue, 17th Floor
New York, New York 10024
212-492-2500
evan.citron@ogletreedeakins.com

*Attorneys for Defendant
Inter-Con Security Systems, Inc.*

SO ORDERED.

Dated: October 24, 2019

Edgardo Ramos
Hon. Edgardo Ramos
United States District Judge

38970455.2